

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MITCHELL SCHNEIDER,	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION NO. 22-CV-2384
	:	
BCCF, et al.,	:	
Defendants.	:	

ORDER

AND NOW, this **12th** day of **October 2022**, upon consideration of Mitchell Schneider's Motions for Leave to Proceed *In Forma Pauperis* (ECF Nos. 1, 3), Prisoner Trust Fund Account Statement (ECF No. 4), and *pro se* Complaint (ECF No. 5), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. Mitchell Schneider, #122064, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b), regardless of the outcome of this case. The Court directs the Warden of Bucks County Corrections Facility or other appropriate official to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to Schneider's inmate account; or (b) the average monthly balance in Schneider's inmate account for the six-month period immediately preceding the filing of this case. The Warden or other appropriate official shall calculate, collect, and forward the initial payment assessed pursuant to this Order to the Court with a reference to the docket number for this case. In each succeeding month when the amount in Schneider's inmate trust fund account exceeds \$10.00, the Warden or other appropriate official shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to Schneider's inmate account until the fees are paid. Each payment shall refer to the docket number for this case.

3. The Clerk of Court is **DIRECTED** to send a copy of this Order to the Warden of Bucks County Corrections Facility.
4. The Complaint is **DEEMED** filed.
5. For the reasons stated in the Court's Memorandum, Schneider's federal claims are **DISMISSED WITH PREJUDICE** pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) and 28 U.S.C. § 1915(e)(2)(B)(ii). Schneider's state law claims are **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction.
6. The Clerk of Court shall **CLOSE** this case.

BY THE COURT:

/s/ Chad F. Kenney

CHAD F. KENNEY, JUDGE